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FISCAL IMPACT REPORT

SPONSOR: Cordova DATE TYPED: 3/11/03 HB 702a/HJC

SHORT TITLE: Absent Uniform Service & Overseas Voters SB _____

ANALYST: Chavez

APPROPRIATION

Appropriation Contained		Estimated Additional Impact		Recurring or Non-Rec	Fund Affected
FY03	FY04	FY03	FY04		
NFI	NFI				

(Parenthesis () Indicate Expenditure Decreases)

Conflicts with HB 383

SOURCES OF INFORMATION

Secretary of State (SOS)
 Attorney General's Office (AG)
 LFC Files

SUMMARY

Synopsis of HJC Amendment

The House Judiciary Amendment inserts the word "state" in subparagraph C of the bill under the section referring to federal and state write-in absentee ballots for overseas voters in general elections for state or federal offices. The word "state" had been inadvertently left out.

Synopsis of Original Bill

HB 702 amends the Election Code and enacts a new section relating to federal qualified electors and overseas voters. HB 702 enacts a new section of the Election Code specifying the procedures for a special write-in federal or state absentee ballot for federal qualified electors and overseas voters who are unable to vote during the normal absentee voting period.

Significant Issues

HB 702 amends the Election Code to:

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- set forth specific provisions relating to the late voter registration of federal qualified electors and overseas voters and allows such persons to register by electronic transmission;
- add “state” write-in absentee ballots to the current provision permitting “federal” write-in absentee ballots;
- set forth specific provisions allowing federal qualified electors and overseas voters to vote absentee and transmit absentee ballots to the county clerk by electronic transmission;
- permit absentee ballots to be electronically transmitted to persons upon request;
- require absentee ballots to be printed at least 45, rather than the current 40, days before a primary election; and
- add “overseas voters” to provisions describing the manner of voting absentee.

CONFLICT

House Bill 702 conflicts with House Bill 383 which amends several sections of the Election Code to bring New Mexico into compliance with the “Help America Vote Act” (HAVA) of 2002. It also amends a number of Election Code sections relating to voter registration, agency registration, conducting of elections, voting systems, absentee voting, and voting on state constitutional amendments.

TECHNICAL ISSUES

Section 3, subsection C, page 5 fails to include a reference to a “state” write-in absentee ballot while subsections A and B do so. For consistency, consider inserting “or state” on line 4 after “federal.”

OTHER SUBSTANTIVE ISSUES

The Secretary of State indicates that this bill will result in state compliance with recommendations of the Federal Voting Assistance Program at the Pentagon.

FC/yr:njw